

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2103 OF 2014

Ganidas Tukaram Khobragade

-vs-

The Education Officer (Secondary), Z.P.Gadchiroli and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.P.N.Shende, counsel for the petitioner.
Mr. T.R.Kankale, AGP for the respondent No.1.
Mr.S.M.Marathe, counsel for the respondent Nos.2 and 3.

CORAM : SMT. VASANTI A. NAIK &
A.M.BADAR, JJ.

DATE : 27.04.2015.

Heard.

By this petition, the petitioner seeks a direction to the respondent No.3 to forthwith release the notional increments of the petitioner for the period from 2005 to 2009 and the arrears of difference of salary for the period from 29/01/2009.

The learned counsel for the petitioner states that an identical question was considered by this court in Writ Petition No.4713 of 2013 and this court, by an order dated 12/02/2014, had partly allowed the writ petition and directed the Education Officer to take up the issue of pay fixation in accordance with law. The learned counsel seeks a similar order in the instant petition.

Shri Kankale, the learned Assistant Government Pleader for the respondent No.1 and Shri Marathe, the learned counsel for the respondent Nos.2 and 3 on verification of the facts involved in Writ Petition No.4713 of 2013 and the facts involved in this case, state that this

petition could be disposed of by issuing a similar direction, as issued in Writ Petition No.4713 of 2013. It is stated that the facts involved in these two cases are similar and this petition could be disposed of on similar lines.

Hence, we partly allow the writ petition and direct the petitioner and the respondent Nos.2 and 3 to appear before the Education Officer (Secondary) on 08/05/2015. The Education Officer (Secondary) should thereafter fix the pay of the petitioner in accordance with law. The said exercise should be completed within a period of two months from the date of appearance of the petitioner and the respondent Nos.2 and 3 before the Education Officer (Secondary). The arrears payable to the petitioner should also be released by the respondent No.1 within a period of three months.

The writ petition is disposed of in the aforesaid terms with no order as to costs.

JUDGE

JUDGE